

LAS VEGAS VALLEY DISPOSAL BOUNDARY ENVIRONMENTAL IMPACT STATEMENT



SCOPING REPORT



DECEMBER 2003



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ACRONYMS AND ABBREVIATIONS

BLM	Bureau of Land Management
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
EIS	Environmental Impact Statement
FLPMA	Federal Land Policy and Management Act
GIS	Geographical Information System
NEPA	National Environmental Policy Act
NOI	Notice of Intent
MSHCP	Clark County Multiple Species Conservation Plan
PM10	Particulate matter 10 microns or less in size
RMP	Resource Management Plan
SNPLMA	Southern Nevada Public Land Management Act of 1998



1.0 INTRODUCTION

The Southern Nevada Public Land Management Act (SNPLMA) (Public Law 105-263) was enacted in October 1998. The SNPLMA allowed the Las Vegas Field Office of the U.S. Bureau of Land Management (BLM) to dispose of public land managed by the BLM in the Las Vegas Valley in Clark County, Nevada. The area identified for disposal was referred to as the Las Vegas Valley Disposal Area.

The Las Vegas Valley Disposal Area was modified by the Clark County Conservation of Public Land and Natural Resources Act (Public Law 107-282) enacted in November 2002. This Act added approximately 22,000 acres to the disposal area by amending the boundary defined and approved in by SNPLMA. The BLM is identifying available lands within the Las Vegas Valley that are appropriate for auction and preparing an Environmental Impact Statement (EIS) to assess the potential environmental impacts resulting from the sale of lands in the expanded boundary. The disposal boundary is shown in Figure 1.

The environmental impacts of disposing BLM managed lands was assessed in the Las Vegas Resource Management Plan (RMP) and Final Environmental Impact Statement dated October 1998. However, the rates of disposal and the number of requests for land sales have been greater than planned and assessed. Thus, this EIS will supplement the environmental impact analysis of the October 1998 RMP/EIS to address additional land sales.

2.0 SCOPING PROCESS

Scoping is the term used in the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA) [40 Code of Federal Regulations (CFR) Parts 1500 et. seq.] to define the early and open process for determining the scope of issues to be addressed in the EIS. The scoping process serves a number of purposes. The primary purpose of scoping is to provide an avenue to involve the public in identifying significant issues related to the disposal of BLM managed lands. It also helps identify any issues that are not significant and can thereby be eliminated from detailed analysis in the EIS. The list of stakeholders and other interested parties is also updated and generally expanded during the scoping process.

The scoping process for the Las Vegas Valley Disposal Boundary EIS encompassed a number of venues as described in the following sections.

2.1 Notice of Intent

The Notice of Intent (NOI) is the legal forum notifying the public of the BLM's intent to prepare an EIS for a major federal action. The NOI invites the participation of the affected and interested agencies, organizations, and members of the general public in determining the scope and significant issues to be addressed and analyzed in the EIS. The NOI for the Las Vegas Valley Disposal Boundary EIS was published in the Federal Register (Vol. 68, No. 188) on September 29, 2003. Although the official close of the scoping period was 30 days later on October 29, 2003, input from the public was accepted through the month of December 2003. A copy of the NOI is included in Appendix A.

2.2 Press and Media

Press releases were prepared by BLM announcing the scoping meetings and inviting the public to provide input. The press releases were provided to the print and broadcast media listed in Table 1. The Las Vegas Review Journal and Las Vegas Sun printed articles announcing the meetings. A public meeting



notice was published twice in the legal notices section of both newspapers and a box advertisement was published in the September 28, 2003 Sunday edition of the Las Vegas Review Journal/Sun on the Sunday prior to the scoping meetings. Copies of these press releases, advertisements, and newspaper articles are included in Appendix B.

Table 1. Las Vegas Valley Media Outlets

Print		
Anthem View	El Tiempo Libre	Las Vegas Review-Journal
Boulder City News	Green Valley View	Las Vegas Sentinel Voice
Construction Connection	Henderson Home News	Las Vegas Sun
Construction Notebook	Henderson View	Nevada Contractor
El Mundo	Las Vegas Business Press	
Radio		
KBHQ	KLUC/KMXB	KOMP
KCEP	KXWT/KXNT	KSNE/KWNR/KQOL/KWID
KDOX	KSFN/KXTE	KQRT/KRRN
KDWN	KMZQ	KREC
KISF/KLSQ/KQMR	KNPR	KUNV
KKLZ/KSTJ	KNUU	KVEG
KJUL	KOAS/KVGS	
Television		
Clark County Community Channel (C4)	KINC	KVBC
	KLAS	KVVU
KCLV	KTNV	Las Vegas One
KBLR – Telemundo	KTUD	

2.3 Public Scoping Notice

A public scoping notice was prepared and mailed to federal, state, and local agencies; elected officials; Native American tribal members; BLM Resource Advisory Council members; special interest groups and organizations; and the general public on September 19, 2003. The distribution list was compiled from a general mailing list provided by BLM Public Affairs Office and augmented with addressees that have expressed interest in similar projects in the Las Vegas Valley. There were 123 addressees on the distribution list that were sent the scoping notice. The notice was also made available on the BLM Las Vegas Field Office web site at <http://www.nv.blm.gov/vegas/>.

The notice served to inform the public about the scoping process for the preparation of the Las Vegas Disposal Boundary EIS and the scheduled scoping meetings. It invited the public to participate in the scoping process and to share any concerns or comments, submit information, and identify issues to be addressed during the EIS process. A copy of the public scoping notice and distribution list are included in Appendix C.

2.4 Scoping Meetings

The BLM Las Vegas Field Office hosted three scoping meetings throughout the Valley in September and October 2003 for the Las Vegas Valley Disposal Boundary EIS. These scoping meetings provided an opportunity for the public to learn about the project and to provide comments. These meetings were held from 5:30 p.m. to 8:30 p.m. each evening. The location of and number of attendees at each meeting are shown in Table 2.



Table 2. Scoping Meeting Locations and Attendance

Date	Location	Attendance
Tuesday September 30, 2003	Leisure Center 101 Pavilion Center Drive; Las Vegas	20
Wednesday October 1, 2003	BLM Las Vegas Field Office 4701 North Torrey Pines Drive; Las Vegas	28
Thursday October 2, 2003	Convention Center 200 South Water Street; Henderson	42

Attendees to the scoping meetings were greeted and asked to sign a registration sheet as they entered the meeting room. Handouts were available at the entrance that included resource information with representative questions and comments about the project and resources, a color map of the disposal boundary, and a comment sheet (see Appendix D). The meeting format included an open house for the first 30 minutes to allow attendees to view the displays and visit with BLM representatives.

Informational displays (see Appendix E) were placed around the room for the attendees to view. These displays included geographical information system (GIS) maps depicting the disposal boundary and BLM managed land potentially available for sale within the disposal boundary. Other displays included visual resources, off-highway vehicle use areas, air quality, recreation areas, wildlife habitat, and the NEPA process. Representatives from BLM and their consultant, PBS&J, were available to describe the project to attendees and answer questions.

After the 30-minute open house, a PowerPoint® presentation on the project was given by BLM and PBS&J. The presentation (see Appendix F) explained the purpose of public scoping and described the EIS process and the public's role in contributing to this process. The purpose for the disposal action and potential alternatives to be addressed in the EIS were presented in addition to the resources to be addressed in the EIS. Upon completion of the presentation, the attendees were again invited to view the displays and encouraged to continue dialogue with BLM and PBS&J representatives until the close of the meeting.

2.5 Native American Tribal Meeting

A consultation letter was mailed in mid-November 2003 to chairpersons and representatives of 15 Native American tribes informing them of the land disposal project and requesting their input on potential impacts on culturally significant areas. The tribes were also invited to participate in a meeting on December 11, 2003 in Parker, Arizona to discuss the project with BLM representatives. The BLM gave a PowerPoint® presentation on the project and described the types of cultural resources located during the field surveys of the disposal area. A question and answer session followed the presentation and the tribal representatives were encouraged to provide their input. Copies of the consultation letters and the presentation are included in Appendix G.

2.6 Cooperating Agencies and Congressional Representatives Meeting

The BLM invited 10 federal, county, and city agencies to participate in the NEPA process as cooperating agencies, of which eight accepted the invitation. As defined by the CEQ regulations, a cooperating agency is one that has special expertise with respect to an environmental issue and/or has jurisdiction by law. The BLM hosted a meeting for the cooperating agencies and the Southern Nevada Congressional representatives and their staff on December 11, 2003 at the BLM Las Vegas Field Office. The purpose of the meeting was to receive the cooperating agencies' comments on specific resource issues and potential alternatives to be addressed in the EIS.



A PowerPoint® presentation was given by PBS&J and information handouts were provided to the agencies and Congressional representatives in attendance. The presentation summarized the purpose of the project and the NEPA process as applied to the legislatively directed disposal action. The type and extent of the field surveys and examples of the resources located during the surveys were described. After the presentation, the representatives were taken on a field tour of selected resource sites. The list of the cooperating agencies and copies of the handouts and presentation are included in Appendix H.

3.0 SCOPING SUMMARY

The public scoping process provided sufficient opportunity for federal, state, and local agencies, interested organizations and industries, and members of the general public to express their comments and provide meaningful input to the EIS process. The BLM provided adequate notice of the scoping process and offered different venues for the public to learn about the Las Vegas Valley Disposal Boundary EIS and to provide their input.

Written comments were received from the attendees at the scoping meetings, the mailing address provided, and the email address provided. Copies of the comments are provided in Appendix I.

After gathering public comments on what issues the EIS should address, the specific comments were placed in one of three categories:

1. Issues to be resolved in the EIS,
2. Issues resolved through policy or administrative action, or
3. Issues beyond the scope of the EIS.

An Access® database was created to capture comments based on these categories. As the comments received during the scoping process were reviewed, other categories were created as needed. The database was then expanded to accommodate the additional categories. Comments were placed in categories for organizational purposes and to verify that the interest categories and issues identified in the scoping meetings are addressed in the EIS. When comment letters identified several areas of concern, each comment was placed individually in the representative category. A copy of the database record and a summary of the comments are included in Appendix J.

A total of 15 comment letters were received and entered into the database. This total includes three comments received at the scoping meetings, four via email, and eight by mail. There was one form letter sent by two individuals. These were entered into the database once for each individual. The rest of the letters were from individuals that contained similar wording of particular issues but presented in different formats. These letters were entered into the database as individual records. There were 41 issues/comments identified from the 15 comment letters. These issues and comments were placed into nine categories, and are summarized in Table 3 below.

Table 3. Public Scoping Comment Categories			
Resource	Percentage*	Resource	Percentage *
Air Quality	4	Land Use	13
Alternatives	16	NEPA Process	4
Biological	11	Recreation	4
Cultural/Historic/Paleontological	25	Visual	2
Land Sale/Development	16	Water Resources	5
* Percentages are rounded and some comments applied to more than one category			



The comment letters are available for public review at the BLM Las Vegas Field Office during regular business hours (7:30 a.m. through 4:30 p.m.), Monday through Friday, except holidays. Names and contact information of individual respondents who requested confidentiality will not be available. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

3.1 Issues to Incorporate in the Development and Analysis of Alternatives

Five comments requested that an alternative be included that would only allow for land within the already developed metro areas to be sold in order to promote infill development. Other alternatives suggested to only sale lands that have utilities and services already available and not to sale all the lands mandated by SNPLMA and the Clark County Conservation of Public Land and Natural Resources Act.

3.2 Issues to Address in the EIS

This section briefly discusses comments on specific resources that will be addressed in the EIS.

Air Quality

One comment asked that air quality impacts be assessed in the EIS and another suggested that future actions should not occur until the PM10 (particulate matter that is 10 microns or less in size) plan is approved by the EPA.

Biological

Two comments asked that the impacts to critical habitat for endangered and threatened species and the Clark County Multiple Species Conservation Plan be addressed in the EIS.

Cultural/Historic/Paleontological

Nine of the comments regarding cultural/historical/paleontological resources requested the BLM to protect and preserve the Tule Springs National Historic Site. This site is referred to as the “Big Dig” site because of the large amount of fossils found there. It was also mentioned that schools use this site for educational purposes. Another comment requested that new areas found by the San Bernardino Museum personnel and other land survey personnel be treated with caution and respect. Only one commenter mentioned geological resources and requested that the “badlands” areas in the northwest of the Las Vegas Valley be preserved because this area contains relict lakebed deposits that are geologically unique and have scientific value.

Land Sale/Development

Three comments were made suggesting the BLM give priority to the sale of inholdings within the Las Vegas metropolitan area where there is existing infrastructure. One comment was made suggesting the EIS include an analysis of the growth rate and associated impact on public agencies. Two commenters opposed the sale of the land altogether.

Land Use

One comment regarding land use suggested that the EIS address future infrastructure facilities required by Nevada Power to support development of these lands. Some comments requested that parcels needed for



public drainage facilities, as identified in the Flood Control Master Plan and/or by local governments, be reserved for that use and not be made available for disposal to private parties. One commenter opposed development of public lands that would necessitate the placement of flood control structures on adjoining, protected federal lands. Another comment suggested placing utilities and flood control facilities on private lands and lands converted to private use even though developers will argue that placement of these structures on private lands will diminish their economic potential.

Other comments included designating lands for schools, fire stations, police stations, roads, parks, and community centers before making any lands available for purchase and suggesting that vacant land be utilized before extending our urban sprawl. One commenter requested that the interface between developed lands and adjacent protected federal lands be considered in the EIS.

NEPA Process

One comment suggested that the EIS should include an analysis of the amount and rate of development, and assess impacts to public agencies. Another comment was made that the BLM abandon its deadline and concentrate the EIS process on quality of information rather than the date of completion.

Recreation

Comments regarding recreation resources include the management of roads that terminate on the boundary of public lands and the development of trails and access to other federal lands be addressed in the EIS. Other comments requested that potential trail, and other, right-of-ways be reserved and to encourage the establishment of trailheads, trails, parks and the preservation of open space to soften the interface between developed lands and nearby federal natural resource lands.

One commenter asked to preserve the “badlands” areas in the northwest of the Las Vegas Valley because they are currently used for recreation.

Visual

The only comment regarding visual resources asked that scenic areas such as the “badlands” area in the northwest of the Las Vegas Valley be preserved.

Water Resources

One comment suggested that private land owners and smaller public parcels of land within the developed metropolitan area should be allowed to develop land first because of current water quantity/quality concerns. Another comment suggested that the EIS should address the question of the connected action of making more land available for development and the ultimate supply of water and to consider the use of development agreements to govern landscaping and land uses that are heavily water-dependent.

3.3 Issues Outside the Scope of the EIS

In general most comments made about the use of land subsequent to the BLM sale are considered out of scope in this EIS process. The SNPLMA specifically directs the BLM to dispose of land in and around the Las Vegas Valley, and this EIS is being prepared to fulfill the NEPA requirements associated with the congressional mandate. What type of development that occurs on the land after title is transferred is outside the control of the BLM.

